

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOS MOLINOS MUTUAL WATER
COMPANY, et al.,

Plaintiffs,

v.

ERIK EKDAHL, et al.,

Defendants.

No. 2:21-cv-01961-DAD-DMC

ORDER ADOPTING THE PARTIES’
STIPULATION REGARDING AMENDMENT
OF PLEADINGS

(Doc. Nos. 47, 48)

On November 14, 2022, plaintiffs filed a motion for leave to amend the operative first amended complaint (“FAC”) and an *ex parte* application requesting that the court decide the pending motion for leave to amend on an expedited basis due to a purportedly imminent statute of limitations deadline.¹ (Doc. No. 47, 48.) On November 18, 2022, the parties filed a stipulation that plaintiffs believe addresses their timeliness concerns and allows for a limited amendment to the FAC, after the court rules on the pending motions to dismiss, which the parties contend “would promote judicial efficiency and would prevent inconsistent adjudications of the same issues.” (Doc. No. 55-1 at 3.)

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¹ Currently under submission are two pending motions to dismiss the FAC that were filed on March 25, 2022 and May 24, 2022. (Doc. Nos. 31, 39.)

1 Good cause appearing, the court will give effect to the stipulation and hereby orders as
2 follows:

- 3 1. If the court denies either of the pending motions to dismiss (Doc. Nos. 31, 39) or
4 grants either of those motions with leave to amend, plaintiffs are granted leave to
5 file a second amended complaint in this action within fourteen (14) days of the
6 court's ruling on the pending motions to dismiss, whichever is decided later, to
7 assert challenges to the 2022 Regulations, Resolution, and/or any 2022
8 Curtailment Orders, as defined in the parties' stipulation (Doc. No. 51-1); and
9 2. The pending motion for leave to amend (Doc. No. 48) and pending *ex parte*
10 application (Doc. No. 47) are both denied as having been rendered moot by this
11 order.

12 IT IS SO ORDERED.

13 Dated: November 21, 2022

14 Dale A. Drozd
UNITED STATES DISTRICT JUDGE